

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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SOPHIA STEWART, }  
Plaintiff, }  
vs. }  
WARNER BROTHERS }  
ENTERTAINMENT, INC., *et al.*, }  
Defendants. }

**ORDER**

On December 10, 2012, the Honorable George W. Foley, Jr., United States Magistrate Judge entered an Order and Finding and Recommendation (Doc. #4) permitting pro se Plaintiff Sophia Stewart to proceed in this case *in forma pauperis*; directing the Clerk of Court to file Plaintiff's Complaint; directing that Plaintiff's copyright infringement claim be dismissed without prejudice, and with leave to amend, for failure to state a claim upon which relief can be granted; and recommending that Plaintiff's trademark infringement and unfair practices claims be dismissed with prejudice for failure to state a claim upon which relief can be granted and because the deficiencies in said claims cannot be cured by amendment.

Plaintiff Stewart filed timely Objections to the Order and Finding and Recommendation of the Magistrate Judge (Doc. #7) in accord with the provisions of Local Rule 1B 3-1 and 28 U.S.C. § 636(b)(1)(B). The Court has conducted a *de novo* review of the proceedings before the Magistrate Judge and finds that the

1 Orders and Recommendation of the Magistrate Judge should be affirmed.

2           **IT IS THEREFORE ORDERED** that Plaintiff's trademark infringement  
3 and unfair practices claims set forth in her Complaint (Doc. #5) are hereby  
4 **DISMISSED with prejudice** for failure to state a claim upon which relief can be  
5 granted and which deficiencies cannot be cured by amendment. The Court also  
6 **AFFIRMS** the Magistrate Judge's Order that Plaintiff's copyright infringement  
7 claim be dismissed without prejudice and with leave to amend.

8           **IT IS FURTHER ORDERED** that Plaintiff shall have to and including  
9 February 19, 2013 within which to file an Amended Complaint regarding her  
10 copyright infringement claim consistent with the Order of the Magistrate Judge.

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12 DATED: January 15, 2013.

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17 PHILIP M. PRO  
18 United States District Judge  
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